

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

Before me are 1) Defendants' Motion for Summary Judgment [69], and 2) Plaintiff's Motion for Summary Judgment [73]. Because it relies on facts still in dispute, Plaintiff's Motion is hereby **DENIED**. However, because Plaintiff is appearing pro-se, his Motion will be treated as a Response to Defendants' Motion. For the reasons in the accompanying Memorandum Opinion, Defendants' Motion for Summary Judgment is **GRANTED in part** and **DENIED in part**. Defendants Worsham and Riggins are dismissed from this action.

The Clerk is directed to send a copy of this Order and accompanying Memorandum Opinion to all counsel of record and Pro Se Plaintiff.

Entered this 22nd day of May, 2008.

s/Jackson L. Kiser
Senior United States District Judge